From: <u>David R. Buntain</u>
To: <u>Sheri Long Cotton</u>

Cc: John Wiltse; Tara A. Stingley
Subject: RE: Akintunde v. BRUN

Date: Tuesday, June 16, 2015 9:31:06 AM

Ms. Cotton:

Under the Federal Rules of Civil Procedure, you are required to show "excusable neglect" in order to obtain an extension to file your brief under these circumstances. See Fed. R. Civ. P. Rule 6 (b)(1)(B). The Court's Local Rules also provide that the failure to file an opposing brief to a motion precludes the opposing party from contesting the moving party's statement of facts but is not considered a confession of a motion. See NECivR 7.1(b) (1)(C).

We will agree to your request to an extension of two business days to file your brief if you agree that you will not contest the defendants' statement of facts in responding to the two motions. Otherwise, we will oppose your request because you cannot show that the reason for your dilatory filing constitutes "excusable neglect." David

David R. Buntain dbuntain@clinewilliams.com

CLINE WILLIAMS WRIGHT JOHNSON & OLDFATHER, L.L.P.

Sterling Ridge 12910 Pierce Street, Suite 200 Omaha, NE 68144-1105 Phone 402.397.1700/Fax 402.397.1806

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From: Sheri Long Cotton [mailto:slongcotton@aol.com]

Sent: Tuesday, June 16, 2015 8:23 AM

To: David R. Buntain; Tara A. Stingley; 'John Wiltse'

Subject: Akintunde v. BRUN

Counsel;

When I sought an extension of time last week, I forgot that I was moving to a new residence during that week. Will you object to a two business days further extension of time to respond to your

motions?

Also Please note my new address. All other contact information remains the same?

Sheri Long Cotton Attorney - Nebraska 5787 Rex Mill Terrace Rex, Georgia 30273

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